



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5599, **Version:** 1

Subject:

IR Tiki 2, LLC (Sandeep Patel), requests a Small Scale Comprehensive Plan Amendment (22S.18) to change the Future Land Use designation from NC to CC. (22SS00015) (Tax Account 2611662) (District 4)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a Small Scale Comprehensive Plan Amendment (22S.18) to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial).

Summary Explanation and Background:

The applicant is requesting to amend the Future Land Use designation from NC to CC on 0.96 acres of land in order to establish a consistent Future Land Use with the existing BU-1 zoning classification.

A Future Land Use Map (FLUM) designation of Mixed Use District was adopted in 1988 and applied to the subject property. Comprehensive Plan Amendment 1999B.14 converted Mixed Use Districts into two new designations of NC and CC. Properties with the BU-1 zoning classification were proposed as CC; however, NC was applied to the subject property. According to Sec. 62-1255, the NC FLU is not consistent with BU-1 zoning. The restaurant use on the subject property was permitted to continue, because it meets the criteria of Section 62-1181, Nonconforming Uses. Since the applicant is proposing to expand the use of existing restaurant with an addition of a tiki hut, the property will need to be brought into compliance with the Comprehensive Plan.

This area of Highway 1 can be considered a commercial corridor with either NC or CC FLU designations. However, development in the surrounding area includes a mix of commercial and single-family residential.

The Board may wish to consider if the request is consistent with the Comprehensive Plan.

On March 13, 2023, the Local Planning Agency heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

Once resolution is received, please execute and return a copy to Planning & Development.